

301 KAR 1:035. Cumberland Gap National Historical Park.

RELATES TO: KRS 150.025, 150.170, 150.175, 150.250, 150.470

STATUTORY AUTHORITY: KRS 13A.350, 150.025

NECESSITY, FUNCTION, AND CONFORMITY: This administrative regulation is a cooperative effort by the state and national parks to permit use of a limited and specialized resource.

Section 1. The following rules shall apply to those portions of Shillalah Creek and Martins Fork Creek lying wholly within the Cumberland Gap National Historical Park.

(1) Fishing is permitted from sunrise to sunset only.

(2) During any period of emergency or to prevent overuse by fishermen of waters open to fishing in Cumberland Gap National Historical Park, the superintendent, in his discretion may close to fishing all or any portion of such open waters for such periods of time that may be necessary: Provided, the notice be given by the posting of appropriate signs, notices and markers.

(3) The waters of Shillalah Creek and Martins Fork Creek, inclusive of its tributaries are designated as "sport fishing streams" only.

(4) Fishing is permitted from May 15 through September 15 inclusive.

(5) No trout less than twelve (12) inches in length may be retained from Martins Fork Creek and no trout less than ten (10) inches in length may be retained from Shillalah Creek. All undersized fish shall be immediately and carefully returned to water.

(6) The limit of catch per day or possession by each person shall not exceed two (2) trout. Immediately upon retention of the limit of trout the fisherman must disassemble his fishing tackle and cease fishing.

(7) Fishing is permitted only with artificial flies or lures with a single hook. Possession of fish eggs, small fish, insects, worms and other similar organic bait or parts thereof while in the possession of fishing tackle is prohibited.

(8) The National Park Service makes no charge for fishing, but persons fishing within the park in these waters must procure a resident or nonresident state license and trout stamp as issued and required by the State of Kentucky.

Section 2. That portion of the Little Yellow Creek and its tributaries lying within the boundaries of Cumberland Gap National Historical Park are reserved, posted and open to fishing year round, exclusively for children fourteen (14) years of age and under. State size limits will be adhered to.

(1) The limit of catch per day or possession by each child shall be four (4) fish. Immediately upon retention of the limit of fish, each child must disassemble his fishing tackle and cease fishing.

(2) Bait is permitted, however, the use of dead fish and fish eggs or the digging for bait on park lands are prohibited. (KFWR-F-NP1-1; 1 Ky.R. 149; eff. 12-11-74; Am. 6 Ky.R. 684; eff. 8-6-80.)